MGN

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE

WRIT PETITION NO.5979 of 2006

The Maharashtara State Co-op.
Bank Ltd. ..Petitioner

Versus

The Reguional Dy. Director,
(Sugar) and Joint Registrar,
Co-op.Societies, Kolhapur & Ors..Respondents

Mr. A.B. Borkar, for the lpetitioner
Mr. Y.S. Jahagirdar, Senior Advocate with Mr. A.M. Kulkarni,for respodnent No.5.
Mr. G.S. Godbole, for respondent No.4.
Mrs. S.S. Bhende, AGP for Respondent Nos. 1 to 3.

CORAM : F.I. REBELLO &
R.M.SAWANT, JJ.
DATED : 6TH MARCH, 2007.

P.C.

. An Administrator has been appointed to Respondent No.4.. It is the case of the Respondent No.5 that they are now in possession of the assets and have employed labourers to cut the sugarcane pursuant to a lease agreement entered into between them and M.S.E.B. Considering the nature of the controversy and appointment of Administrator in our opinion, ends of justice would require that the order of appointment of Administrator is required to be challenged by the person who is affected by the said order, which in this case would be the respondent No.4 and 5. In the light of that the petition at present filed is not maintainable. However, to enable the petitioner to approach this Court and considering that by order dated 7th September, 2006, ad-interim relief has been granted in terms of prayer clauses (c) and (d) the same to continue for a period of

four weeks. With the above observation petition stands disposed of. Needless to say that it is always open to the respondent No.4 to challenge the same order.

(**F.I.REBELLO**, J)

(**R.M.SAWANT,J**.)